

E-FILED on 11/13/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION


IN RE
CYGNUS TELECOMMUNICATIONS
TECHNOLOGY, LLC, PATENT
LITIGATION

MDL No. 1423
No. C-02-00142-RMW
No. C-02-00145-RMW
No. C-02-05437-RMW
No. C-03-05758-RMW
No. C-03-03378-RMW
No. C-03-03594-RMW
No. C-03-03596-RMW
No. C-03-04003-RMW
No. C-04-03001-RMW
No. C-04-03365-RMW
No. C-04-04247-RMW
No. C-04-04359-RMW
No. C-06-03843 RMW
No. C-02-00142-RMW
No. C-06-04295 RMW
No. C-06-06479 RMW

ORDER DENYING REQUEST FOR
CLARIFICATION OF MARCH 30,2007
ORDER

1 On October 24, 2008, Plaintiff Cygnus Telecommunications Technology, LLC ("Cygnus")
2 moved for an order clarifying this court's March 30, 2007 order on defendants' motion for summary
3 judgment. Previously, on September 22, 2008, counsel for Cygnus made a similar request by letter and
4 filed the current motion because he had not received a response to the letter request. The court had
5 responded, a copy of which is attached, but, inadvertently, a copy was not sent to Cygnus's counsel. The
6 court apologizes for this oversight. Nonetheless, after considering Cygnus' motion, the court denies the
7 request.

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10 DATED: 11/13/08


11 RONALD M. WHYTE
12 United States District Judge
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13 Counsel are responsible for distributing copies of this document to co-counsel that have not
14 registered for e-filing under the court's CM/ECF program.

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16 **Dated:** 11/13/08

JAS
17 **Chambers of Judge Whyte**